

1 DANIEL G. BOGDEN  
United States Attorney

2 HOLLY A. VANCE  
3 Assistant United States Attorney  
100 West Liberty Street, Suite 600  
4 Reno, Nevada 89501  
Tel: (775) 784-5438  
5 Fax: (775) 784-5181

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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

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11 WINNEMUCCA INDIAN COLONY, ) Case No. 3:11-CV-00622-RCJ-VPC  
12 THOMAS R. WASSON, CHAIRMAN, )  
13 Plaintiffs )  
14 v. )  
15 UNITED STATES OF AMERICA ex rel. THE )  
16 DEPARTMENT OF THE INTERIOR, )  
17 BUREAU OF INDIAN AFFAIRS, WESTERN )  
18 NEVADA AGENCY, SUPERINTENDENT, )  
and, THE EMPLOYEES, CONTRACTOR AND )  
AGENTS OF THE WESTERN NEVADA )  
AGENCY OF THE BUREAU OF INDIAN )  
AFFAIRS, )  
19 Defendants. )

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21 **DEFENDANTS' NOTICE OF**  
**COMPLIANCE WITH COURT'S**  
**ORDER (#9)**

22 COME NOW Defendants United States of America, Department of the Interior, Bureau of  
23 Indian Affairs, Western Nevada Agency, Superintendent, and the employees, contractor and agents  
24 of the Western Nevada Agency of the Bureau of Indian Affairs ("Defendants") and submit this  
25 Notice of Compliance with this Court's Order dated August 31, 2011. (#9).  
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On August 31, 2011, this Court ordered the Bureau of Indian Affairs (“BIA”) to give interim recognition to some person or body of persons as the legitimate representative(s) of the Winnemucca Indian Colony of Nevada. (#9). This Court directed the BIA to manifest its decision by notice in the docket no later than 5:00 p.m. on September 7, 2011. (#9).

Defendants hereby submit the attached letter, which manifests the BIA's decision in response to the Court's Order. Defendants make this submission solely to comply with this Court's order and they do not waive their right to raise objections concerning this Court's jurisdiction and authority to issue such an order. Defendants' objections will be more fully explained in briefing that Defendants plan to file before the hearing scheduled for September 12, 2011.

Dated this 7<sup>th</sup> day of September 2011.

Respectfully submitted,

DANIEL G. BOGDEN  
United States Attorney

/s/ Holly A. Vance  
HOLLY A. VANCE  
Assistant United States Attorney



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
WESTERN REGIONAL OFFICE  
2600 North Central Avenue  
Phoenix, Arizona 85004



IN REPLY REFER TO:  
Regional Director

On August 31, 2011, Robert C. Jones, United States District Court Judge, District of Nevada, in *Winnemucca Indian Colony, et al., v. United States of America ex rel. Department of the Interior, et al.*, No. 3:11-cv-00622-RCJ-VPC (Nev.), ordered that "the BIA must give interim recognition to some person or body of persons as the legitimate representative(s) of the Winnemucca Indian Colony of Nevada and manifest its decision by notice in the docket no later than 5:00 p.m. P.D.T. on September 7, 2011." As directed by the Court's Order, and without waiving any objections in this proceeding, I submit the following designation:

I hereby designate Thomas Wasson and William Bills--the only surviving members of the last Tribal Council for the Winnemucca Indian Colony, Nevada, with which the BIA had a government-to-government relationship--the interim representatives of the Winnemucca Indian Colony of Nevada solely for the limited purpose of carrying out government-to-government relations, including the preparation of a voting roll, establishment of an election board, and conducting a tribal election to establish a tribal council under the Constitution and Bylaws of the Winnemucca Indian Colony Nevada (1971). The Bureau of Indian Affairs remains willing and able to assist in this election process in accordance with the Winnemucca Tribal election ordinance and the guidelines of 25 C.F.R. Part 81. See 25 C.F.R. §81.2(b).

This designation expires in accordance with the Court's Order at 12:00 p.m. PDT on September 13, 2011.

9/7/11  
Dated

  
Bryan Bowker, Regional Director

## **CERTIFICATE OF SERVICE**

WINNEMUCCA INDIAN COLONY, ) Case No. 3:11-CV-00622-RCJ-VPC  
THOMAS R. WASSON, CHAIRMAN, )  
Plaintiffs )  
v. )  
UNITED STATES OF AMERICA ex rel. THE )  
DEPARTMENT OF THE INTERIOR, )  
BUREAU OF INDIAN AFFAIRS, WESTERN )  
NEVADA AGENCY, SUPERINTENDENT, )  
and, THE EMPLOYEES, CONTRACTOR AND )  
AGENTS OF THE WESTERN NEVADA )  
AGENCY OF THE BUREAU OF INDIAN )  
AFFAIRS, )  
Defendants. )

It is hereby certified that service of the foregoing "**DEFENDANTS' NOTICE OF COMPLIANCE WITH COURT'S ORDER**", was made through the Court's electronic filing and notice system or, as appropriate, by sending a copy of same by first class mail, addressed to the following addressee, on this 7th day of September, 2011.

Addressee:

TREVA J. HEARNE  
ROBERT R. HAGER  
Hager & Hearn Law Office  
245 E. Liberty Street, Suite 110  
Reno, NV 89501

/s/ Holly A. Vance  
HOLLY A. VANCE